IN THE DRAWINGS:

Please add the attached new drawing sheet 5. No new matter had been added.

REMARKS

Claims 1-6 and 14-48 were pending in the application. In response to the Office Action mailed October 14, 2005, applicants have amended the drawings and specification, and canceled previously issued claims 1-6 and 14-17. Claims 18-48 are now pending for reconsideration.

The drawings were objected because of reference numbers 300 and 326a not being mentioned in the specification. Applicants have amended paragraph 0023 to add reference number 300. Applicants note that reference number 326a is properly described in paragraph 26 (fixture 326a).

The drawings were objected because features from claims 32-33 and 47-48 were not shown in the drawings. Applicants have added new Figure 5 to overcome this objection. The new drawing figure is supported by originally filed claims 32-33 and 47-48. No new matter has been added.

Claims 1-57 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 1-33 and 43-57 are, insofar as understood, rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,936,690 (Sago). Claims 34-42 are insofar as understood, rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,149,108 (Chang). Claims 18-33 and 43-57 are, insofar as understood, rejected under obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 6,643,161. Claims 1-17 and 34-42 are, insofar as understood, rejected under obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,625,052. Applicants respectfully traverse these rejections for the following reasons.

Applicants respectfully request a new NON-FINAL office action. There are several procedural and / or editorial errors or oversights which render the present office

action defective and make it difficult if not impossible for the applicants to fully and fairly reply.

First, the office action treats claims 1-57 as pending in the case when claims 7-13 and 49-57 were cancelled by way of a preliminary amendment filed concurrently with the case. The preliminary amendment is noted in the PAIR system but not acknowledged in the office action.

Second, the office purports to make a rejection under § 112, first paragraph, but uses the terminology associated with § 112, second paragraph (i.e. various aspects are purported to be 'not understood'). In any event, the rejection appears to be erroneously applied to all of the claims, when in fact only a few claims are mentioned in the body of the rejection. The rejection is further troubling because the Examiner appears to be aware of the parent cases (U.S. Patent Nos. 6,625,052 and 6,643,161) and that several of the rejected claims considered by the Examiner (namely, claims 1-17 and 49-57) are identical to claims in the issued patents in the parent cases. Of course, those issued claims are presumed to be clear, definite, enabled, and otherwise in proper form under § 112, first and second paragraphs. Unless the Examiner initiates a re-examination proceeding on those patents, applicants presume the present rejection is an editorial error and / or oversight.

In any event, the rejection under § 112, first paragraph is defective because the Examiner fails to perform the proper examination as detailed in MPEP § 2164. The office action fails to even mention undue experimentation or consider any of the factors identified in MPEP § 2164.01(a). As noted in § 2164, the examiner's analysis must consider all of the evidence related to each of these factors. In the absence of the proper analysis, the rejection fails and should be withdrawn. Applicants submit that upon proper analysis, the Examiner will find the pending claims definite and enabled.

Finally, the § 103 rejections are logically and legally inconsistent with the requirement for the terminal disclaimer. Applicants first note that the § 103 rejections

appear to be made provisionally and that not all claim recitations appear to have been considered, purportedly because of the foregoing erroneous § 112 rejection. With all claim recitations considered, the § 103 rejections of record fail to establish a prima facie case of obviousness. In any event, by requiring a terminal disclaimer the Examiner has admitted that the present claims are not patentably distinct from the claims of issued US patents. Again, unless the Examiner intends initiate re-examination proceedings of the parent patent cases, applicants presume that the § 103 rejections are an oversight on the part of the Examiner. To be clear, if the claims of the present application are not patentably distinct from the claims of an issued US patent (which is presumed to be valid over the prior art, including the prior art of record), then the claims of the present application must also be patentable over the prior art of record.

Applicants note that the Examiner's supervisor, Hoai Ho, was the examiner of record in the parent patent cases (U.S. Patent Nos. 6,625,052 and 6,643,161). Perhaps the Examiner can consult with their supervisor regarding the appropriateness of raising issues regarding the definiteness, enablement, and / or validity of the present claims in view of the issued parent patents (or the appropriateness of initiating re-examination proceedings for the issued parent patents).

Presuming only the double patenting rejection remains, applicants are not opposed to providing a terminal disclaimer to overcome the rejection. However, because of the issues with the § 112 and § 103 rejections, applicants have postponed providing such disclaimer until the Examiner withdraws the rejections.

In view of the foregoing, favorable reconsideration and withdrawal of the rejections is respectfully requested. Early notification of the same is earnestly solicited. If there are any questions regarding the present application, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

January 13, 2006
Date

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